

## **REMARKS**

### **I. STATUS OF THE CLAIMS**

Various claims are amended herein.

New claims 31-46 are added. Support for the claim amendments and new claims is found, for example, in FIG. 1 of the present application.

In view of the above, it is respectfully submitted that claims 1-4 and 8-46 are currently pending.

### **II. REJECTION UNDER 35 USC 112, FIRST PARAGRAPH**

In view of the claim amendments made herein, it is respectfully submitted that the rejection is now moot.

### **III. REJECTION OF CLAIMS 1-4 AND 8-30 UNDER 35 USC 103 AS BEING OBVIOUS OVER DIGIOVANNI (US PATENT NO. 5,050,949) IN VIEW OF NAITO (US PATENT NO. 5,568,310)**

Claim 1 is amended to recite an optical coupler splitting the received WDM optical signal into a monitor optical signal and a transmission WDM optical signal. Somewhat similar amendments are made to the other independent claims. See, for example, FIG. 1.

It is respectfully submitted that neither DiGiovanni nor Naito, taken individually or in combination, discloses or suggests a multi-stage optical amplifier including a first-stage optical amplifier, a level controller, and a second-stage optical amplifier, and also including an optical coupler, as recited, for example, in claim 1.

New dependent claim 31 recites that the multi-stage optical amplifier further includes a detector detecting the monitor optical signal and outputting a monitor signal. See also new dependent claims 33, 35, 37, 39, 41, 43 and 45. It is respectfully submitted that neither DiGiovanni nor Naito, taken individually or in combination, discloses or suggests these features.

New dependent claim 32 recites that the multi-stage optical amplifier further includes a controller controlling gain of the first-stage optical amplifier in accordance with the monitor signal. See also new dependent claims 34, 36, 38, 40, 42, 44 and 46. It is respectfully submitted that neither DiGiovanni nor Naito, taken individually or in combination, discloses or suggests these features.

In view of the above, it is respectfully submitted that the rejection is overcome.

IV. CONCLUSION

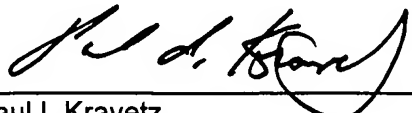
In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If any further fees are required in connection with the filing of this response, please charge such fees to our Deposit Account No. 19-3935.

Respectfully submitted,

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